## PROCESS FOR RESOLVING REPORTS AGAINST FACULTY Pursuant to the Dartmouth Sexual and Gender-Based Misconduct Policy\*

### Formal Complaint Received

### **Resolution Options**

Title IX team ("TIX") will review
Complainant's preference for resolution.
Both informal and formal resolution
processes will be discussed. All parties
will be provided with resources,
procedural options, and reasonably
available Supportive Measures.

## Formal Resolution Process

- Occurs if Complainant requests
   Formal Resolution, or a Title IX
   Coordinator determines it is necessary
   for the safety of the community.
- TIX will appoint an Investigator.
- Investigator will interview the Parties and any witnesses to gather relevant information and complete an Investigation Report.

## Review of Information Gathered

- The investigator will make all information gathered available for review by the parties and their advisors.
- Parties have an equal opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint.
- Parties will have ten (10) business days to submit a written response, which the investigator will consider prior to completion of the Investigation Report.

**Hearing Panel** 

(Ad Hoc Hearing Committee - AHHC)

### **Investigation Report**

- Fairly summarizes the relevant information and facts gathered during the investigation.
- Includes a determination by the investigator as to whether conduct alleged in the Formal Complaint falls within the scope of the Policy and the definitions of Prohibited Conduct. This is not a determination of responsibility.
- The Investigation Report and all evidence is distributed to the parties, their advisors, and the Hearing Panel at least 10 days prior to the hearing.

# Does not involve investigation and adjudication. Can be ended and moved to

**Informal Resolution** 

**Process** 

The Title IX Coordinator or

designee is the only position

empowered to authorize an

The Informal Resolution process is

voluntary and can be requested

by Complainant or Respondent.

The Title IX Office has discretion

The Informal Resolution process is

employee has sexually harassed a

**not** available in cases where an

regarding whether an Informal

Resolution is appropriate.

Informal Resolution.

- Can be ended and moved to Formal Resolution, prior to completion.
- Facilitated by a Title IX Coordinator or designee.

student.

### Examples of Informal Resolution

- Targeted or broad-based educational programming or training
- Supported direct conversation or interaction with the Respondent
- Continued Supportive Measures

The AHHC consists of fair and impartial decision-makers who will conduct an objective evaluation of all relevant evidence to determine whether there is sufficient evidence, by a preponderance of the evidence, to support a finding of responsibility as to each element of each Policy violation at issue. The Ad Hoc Hearing Committee "AHHC" consists of 5 trained faculty members who are elected members of the Title IX Council.

### Other Prohibited Conduct Hearing Format

- If the Hearing involves Prohibited Conduct that falls outside of Title IX jurisdiction, the parties shall not directly question one another.
- Parties may proffer questions in writing to the Hearing Panel, which may choose, at its discretion, to pose appropriate and relevant questions regarding the limited issues under review in the hearing.
- The Hearing Panel may rely upon any information provided in the Investigation Report.

### **Hearing Process**

The format of the Hearing will be determined by the type of Prohibited Conduct charged and the geographic location of the conduct.

- The Hearing is an opportunity for the parties to address the Hearing Panel.
- Parties may choose not to participate in the hearing, and no negative inference may be drawn.
- At the conclusion of the Hearing, the AHHC shall convene to deliberate by majority vote.
- AHHC will determine whether the evidence presented is sufficient, by a preponderance of the evidence, that the Respondent engaged in Prohibited Conduct.

### Title IX Hearing Format

- Hearings that involves any allegation of Sexual Harassment as defined by the Title IX regulations allow each party to question the other party and witnesses, through their advisor, directly, orally, and in real time (Cross Examination).
- Only relevant questions may be asked of a party or witness. Prior to answering, there will be a determination of relevance by the Hearing Coordinator.
- If a party does not have an advisor, Dartmouth will provide an advisor.

If the AHHC determines that the evidence is sufficient to support one or more policy violations, the Committee will issue a recommendation as to the appropriate sanction. Parties have the opportunity to appeal the AHHC decision.